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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,069	12/29/2000	Ravindra R. Mantena	YOR920000555US1	9009
7590	02/28/2005		EXAMINER	
WAYNE F. REINKE, Esq. HESLIN & ROTHENBERG, P.C. 5 CLUMBIA CIRCLE ALBANY, NY 12203-5160			LIPMAN, JACOB	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/751,069	MANTENA ET AL.	
	Examiner	Art Unit	
	Jacob Lipman	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 November 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-112 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-112 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 November 2004 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Request for Information

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

2. In response to this requirement, please provide information that was demonstrated at the demos mentioned in the disclosed publication.

3. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the **item is**

unknown or cannot be readily obtained will be accepted as a complete reply to the requirement for that item. Merely stating a lack of interest of customers is not sufficient.

As far as published materials, merely stating that it was not found is insufficient as well.

Please use the bold language above if no information can be readily obtained.

Drawings

4. The corrected drawing sheet, filed 11/17/2004, is acceptable.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 85-112 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Regarding claim 85, the phrase "is capable of performing" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are an essential part of the claimed invention, or if it merely needs to be a system that is capable of performing such processes.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-7, 10, 11, 15, 16, 23, 29-35, 38, 39, 43, 44, 51, 57-63, 66, 67, 71, 72, 79, 85-91, 94, 95, 99, 100, and 107, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen et al., US Patent number 6,286,028

The applied reference has a common Assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

With regard to claims 1, 29, 57, and 85, Cohen discloses a method for communicating (column 3 lines 31-34) between public (front-end) and private environments (backend) including routing information from the public to the private environment (column 3 lines 51-62), obtaining a reply within the private environment (column 3 line 63-column 4 line 4), and returning the reply to the public environment (column 4 lines 5-8).

With regard to claims 2, 30, 58, and 86, Cohen discloses the back end can be ERP (column 5 lines 15-19).

With regard to claims 3-5, 31-33, 59-61, and 87-89, Cohen discloses using middleware to communicate messages (column 13 lines 22-27).

With regard to claims 6, 7, 10, 15, 16, 23, 34, 35, 38, 43, 44, 51, 62, 63, 66, 71, 72, 79, and 90, 91, 94, 99, 100, and 107, Cohen discloses that the front end can include a browser over the Internet (column 10 lines 54-60).

With regard to claims 11, 39, 67, and 95, Cohen discloses an operation ID that is transferred with the communication (column 6 lines 43-59).

10. Claims 1-7, 10, 11, 14-17, 22-27, 29-35, 38, 39, 42-45, 50-55, 57-63, 66, 67, 70-73, 78-83, 85-91, 94, 95, 98-101, and 106-111, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by ERPNet, as disclosed in applicant's IDS as Dialog File 20, accession No. 02821200.

With regard to claims 1, 29, 57, and 85, ERPNet discloses a method for communicating between public (front-end) and private environments (back-end) (paragraph 6, beginning "using") including routing information from the public to the

private environment (paragraph 7), obtaining a reply within the private environment, and returning the reply to the public environment (paragraph 8).

With regard to claims 2, 30, 58, and 86 ERPNet discloses the back end is an ERP (SAP R/3).

With regard to claims 3-5, 31-33, 59-61, and 87-89, ERPNet discloses using middleware to communicate messages (MQSeries or MSMQ).

With regard to claims 6, 7, 10, 15, 16, 23, 34, 35, 38, 43, 44, 51, 62, 63, 66, 71, 72, 79, 90, 91, 94, 99, 100, and 107, ERPNet discloses that the front end can include a browser over the Internet (paragraph 6).

With regard to claims 11, 39, 67, and 95, ERPNet discloses tracking the communication (paragraph 9).

With regard to claims 14, 17, 42, 45, 70, 73, 98, and 101, ERPNet discloses sending the communication across a firewall (paragraph 14).

With regard to claims 22, 50, 78, and 106, ERPNet discloses sending the communication over a private network (VPN, paragraph 6).

With regard to claims 24-27, 52-55, 80-83, and 108-111, ERPNet discloses using SAP as the EPR and either MQSeries or MSMQ as the middleware (paragraph 6).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 8, 9, 12, 13, 18-21, 28, 36, 37, 40, 41, 46-49, 56, 64, 65, 68, 69, 74-77, 84, 92, 93, 96, 97, 102-105, and 112, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over ERPNet.

With regard to claims 8, 9, 12, 13, 18-21, 36, 37, 40, 41, 46-49, 64, 65, 68, 69, 74-77, 92, 93, 96, 97, and 102-105, ERPNet discloses sending the information over the Internet as outlined above. ERPNet does not disclose encrypting the information. The examiner takes official notice that information sent over the Internet is frequently encrypted using SSL. It would have been obvious to one of ordinary skill in the art to encrypt the data sent through ERPNet with SSL to improve security.

With regard to claims 28, 56, 84, and 112, ERPNet discloses using SAP as the ERP, but does not specifically mention BAAN. The examiner takes official notice that BAAN is a known ERP. It would have been obvious for one of ordinary skill in the art to communicate with a BAAN ERP using ERPNet's disclosed method for the disclosed motivation, "to reduce the time and effort required to conduct global industrial-strength business-to-business ERP transactions" (paragraph 2).

Double Patenting

13. Applicant is advised that should claims 1-28 be found allowable, claims 85-112, as best understood, will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Response to Arguments

14. Applicant's arguments filed 11/17/2004 have been fully considered but they are not persuasive. Applicant argues that the art does not disclose that the reply is obtained *while the user waits*. The examiner points out that any operation takes time, and thus must be done while the user is waiting.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

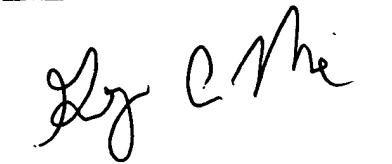
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 571-272-3738. The examiner can normally be reached on 7:00 - 4:00 (M-Th).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 571-272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JL



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